

## AMENDMENT

### In the Specification:

Please amend the Specification as follows:

In the paragraph beginning on page 1 with the phrase "In either case" on page 2, line 3, please delete the word "lip" and substitute therefor -- lid -- as follows:

In either case, it is highly desirable to provide a selectively openable lid for the beverage container. The lid performs at least two functions, the first of which is to prevent the beverage from spilling out of the container when the user is not actually drinking the beverage. This feature is particularly important when a hot beverage is in the container so as to prevent the user from becoming burned if the container tips over. As a second function, the lid should provide for drinking the fluid at a continual rate to prevent splashing or dribbling when the beverage is being drunk from the container. The lids for such containers are therefore typically provided with an open position, a closed position, and a third position in which the lid can be removed from the beverage container for cleaning. An example of a travel mug having a three-position, rotatable lid of the type described above is disclosed in United States Patent No. 5,249,703 to Karp. That patent discloses a travel mug having two inwardly directly circumferential ears defining a gap region therebetween. A rotatable lid, having radially directed arms emanating from a central region at the bottom of the lid are adapted to pass through the gaps in the ears, and when rotated

with the lid engage an underside of the circumferential rim of the lid with the radially inward directed ears. The rim is provided with diametrically opposed apertures to permit fluid to egress from the mug while air enters in through the remaining aperture to equalize pressure within the mug. The disclosure of this patent is incorporated herein by reference. One particular problem with this prior art design is that the drinking vessel must be specially manufactured with dedicated structure to engage the arms of the lid. In addition, although the lid is substantially splashproof when the lid is in the closed position, it is not leakproof if the mug is tipped over.

On pages 2 and 3, in the paragraph beginning on page 2 with the phrase "It has become" delete the word "bottom" and substitute therefor -- button -- as follows:

It has become increasingly common for users to employ thermally insulated beverage containers, particularly of the type best adapted for insulating hot beverages such as coffee, in moving vehicles, such as automobiles. One design branch in the prior art has attempted to provide a lid for such containers which is easily operated by a single hand between an open and closed position so that the user does not inadvertently spill a hot beverage on herself while driving her car. Lids of this type often employ a push button mechanism having a normally closed position. Examples of such prior art devices are shown in the following patents: U.S. Patent No. 4,303,173 to Nergard; U.S. Patent No. 3,964,631 to

Albert; U.S. Patent No. 3,967,748 to Albert; and U.S. Patent No. 4,099,642 to Nergard. With respect to the lids disclosed in the above-identified patents, the user typically depresses a button near the rim of the lid to remove a stopper-like device from an aperture in the lid. Releasing the button returns the stopper to its normally closed position. Although devices of this type perform their intended function well, they have a significant unanticipated drawback. Specifically, the position of a stopper in a normally closed position provides an ideal breeding ground for bacteria in the junction between the stopper and the lid drinking aperture. In order to properly clean a lid of this type which quickly becomes fouled with such bacterial growth, the user must manually clean the lid by holding the mechanism open while using a brush or the like. It has been found that merely placing such lids in a dishwasher or the like will not adequately clean the area of contact between the stopper and the lid. Most users of this type of device find the requirement to manually wash the lid so inconvenient that they frequently will not purchase a second product of the same design.

On page 4, in the paragraph beginning with the phrase "The invention achieves" in the second to the last line thereof, delete the phrase "in the base member" as follows:

The invention achieves these objects, and other objects and advantages which will become apparent from the description which follows, by providing a selectively openable lid for a drinking vessel having relatively rotatable base and cap

members. Each member has drinking and venting apertures that are rotatably alignable with respect to one another to form a first, closed position and a second, open position. Fluid seals between the base and cap member provide substantially leakproof fluid conduits between the respective venting and drinking apertures in the base and cap members when the members are in the second, open position, and isolate interstitial areas between the members from the drinking and venting apertures when the members are in their first, closed position.

On page 4, in the paragraph beginning with the phrase "An alternate embodiment", please delete the phrase in the 11th line of the paragraph "second, open" and substitute therefor -- first, closed -- as follows:

An alternate embodiment of the invention provides a structure to delimit the relative rotation of the cap and base members to the first and second positions described above, as well as to a third position in which the cap and base members are disengagable so that they may be cleaned by immersion in a dishwasher or the like without the need for an individual to physically maintain the members in a separate condition against spring pressure or the like. The lid can also be provided with a detent mechanism to discourage inadvertent relative rotation of the members from the first, closed position to the third, disengaged position. The base and cap members are preferably provided with corresponding bayonet ears for relative rotational engagement therebetween. In

addition, a rotational bearing in the form of a spindle and arbor can be provided to guide the relative rotation of the cap and base members.

On page 6, in the first paragraph in the last sentence insert between the words "the" and "clockwise" insert the word -- counter --, and in the last line please delete the words "an additional" and insert before the last period the following:

-- from the first, closed position-- , as follows:

A three-position, selectively openable lid is generally indicated at reference numeral 10 for use with a thermally insulated beverage container 12, as shown in Figure 1. The lid 10 has substantially circular cap and base members, generally indicated at reference numerals 14 and 16 in Figures 4, 5 and 6. The cap and base members each have corresponding drinking apertures 18, 20 and venting apertures 22, 24. The cap and base members 14, 16 are relatively rotatably moveable with respect to one another from a first closed position shown in Figure 2, wherein the cap member drinking and venting apertures 18, 22 and the base member 16 drinking and venting apertures 22, 24 are out of respective registration with one another, to a second, open position shown in Figure 3 wherein the apertures are in registration with one another due to rotation of the cap and base members in a clockwise direction 26 of approximately 30 degrees. The cap and base members are also moveable to a third, disengaged position shown in Figure 4 by further rotating the cap member with respect to the base

member in the counter clockwise direction 30 degrees from the first, closed position.

On pages 7 and 8 in the last paragraph on page 7 ending on page 8 in line 36, please delete the words "first closed" and insert therefor -- second, open -- ; and on page 8, please delete "Figure 2" in the first line of that same paragraph and substitute therefor -- Figure 3- - and in the same line delete the phrase "second open" and substitute therefor -- first, closed- - ; in the second line page 8 delete the phrase "Figure 3" and substitute therefor -- Figure 2- - ; on line 8 of page 8 after the word "a" and before the word "clockwise" insert the word -- counter -- ; on line 15 on page 8 delete the phrase "second open" and substitute therefor -- first, closed -- , as follows:

As best seen in Figures 4 and 6, the rim 56 of the base member 16 also has first and second delimiting stop members 66, 68 which project upwardly from the rim. The stop members are separated by an angular distance of approximately 145 degrees and form a receiving channel 70 for the timing cam projection 48. When the cap member 14 is rotated clockwise from the second, open position as shown in Figure 3, through the first, closed position as shown in Figure 2, to the third, disengaged position shown in Figure 4, the timing cam 48 has its trailing edge 72 initially in contact with the second delimiting stop member 68 until the timing cam's leading edge 74 comes into contact with the first delimiting stop member 66. As defined herein, the "leading edge" of a structural member is defined as the surface which is first encountered when the cap member 14 is rotated in a counter clockwise

direction as shown in Figures 1 through 3. The receiving channel 70 is provided with a ramp-like detent structure 76 located approximately one-third of the distance from the second delimiting stop member 68 to the first delimiting stop member 66. The detent structure 76 discourages inadvertent rotation of the cap member 14 in a counter-clockwise direction from the first, closed position to the third, disengaged position unless the user imparts sufficient torque to the cap member to resiliently deform the timing cam 48 so that it may pass over the detent structure 76.

On page 10 in the paragraph beginning at line 4 with the phrase "Another feature of" in line 5 delete the phrase "Figure 8" and substitute therefor -- Figure 4- -and in line 23 delete the words "sealed venting aperture seal 100", as follows:

Another feature of the invention is disclosed in Figure 4. The invention provides for gradual release of pressure when the lid 10 is rotated from the closed to open position. Such pressure may undesirably form inside the drinking vessel 12 when there is a drop in ambient temperature while the lid is in the closed position and a hot beverage is stored in the vessel. If the vessel is full, some of the fluid may be undesirably ejected from the venting aperture 22. To provide a circuitous path for release of such pressure, the venting aperture 22 is provided with a lower, arcuate depression or rebate 120. The rebate has a depth of approximately one-half of the thickness of the drinking basin 32 and has a length of approximately one-quarter inch. As best seen in Figure 6, the